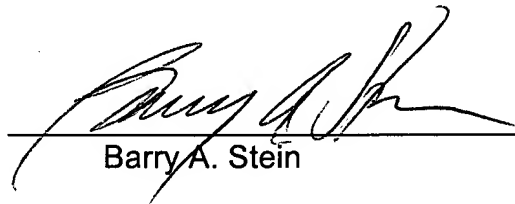


CERTIFICATE OF MAILING

I hereby certify that the foregoing AMENDMENT, Transmittal Letter, PETITION FOR EXTENSION OF TIME, in duplicate, LETTER, in duplicate, TERMINAL DISCLAIMER and CERTIFICATE UNDER 37 CFR 3.73(b) ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION, re Application Serial No. 09/369,107, are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, this 5th day of September, 2000.





Barry A. Stein

K1008/20399

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicants : Douglas G. Evans and John E. Nash
Serial No. : 09/369,107
Filed : August 5, 1999
For : TRANSMYOCARDIAL REVASCULARIZATION
SYSTEM AND METHOD OF USE
Group : 3731
Examiner : Kevin Truong



LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a Terminal Disclaimer signed by the Assignee. This Terminal Disclaimer is being filed to overcome any rejection based upon Assignee's U.S. Patent No. 5,980,548, as set forth in the Office Action in the present application.

Please charge the petition fee of Fifty Five Dollars (\$55.00) for a small entity, or any additional fee associated with filing this Terminal Disclaimer to our deposit account No. 03-0075.

09/11/2000 ANSWER 1 00000023 030075 09369107
02 FC-248 55.00 CA

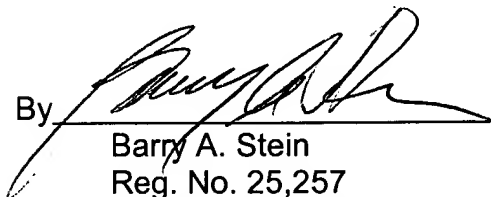
A duplicate copy of this Letter is enclosed.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

September 5, 2000

By

A handwritten signature in black ink, appearing to read "Barry A. Stein", is written over a horizontal line.

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